



Order Filed on June 15, 2017 by  
Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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Attorneys for John W. Sywilok, Chapter 7 Trustee

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In Re:

JAMES H. GIANNINOTO

Debtor.

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CHAPTER 7

CASE NO. 14-35883

JUDGE: John K. Sherwood, U.S.B.J.

Hearing Date: 6/13/17 @ 10:00 AM

**ORDER SETTLING CONTROVERSY**

The relief set forth in the following pages numbered two (2) through three (3) is hereby

**ORDERED.**

**DATED: June 15, 2017**

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Honorable John K. Sherwood  
United States Bankruptcy Court

Debtor: James H. Gianninoto  
Case No.: 14-35883 JKS  
Caption of Order: Order Settling Controversy

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**THIS MATTER** being opened to the Court by Kopelman & Kopelman LLP (Michael S. Kopelman, Esq. appearing for Chapter 7 Trustee, John W. Sywilok in the presence of Buckley Madole P.C. (Richard P. Haber, Esq. appearing) attorneys for JP Morgan Chase Bank National Association (“Chase”) and Wendy P. Gianninoto, *pro se*, (“Wendy”) and the Court having conducted a settlement conference on June 13, 2017 resulting in a settlement which settlement was placed on the record on June 13, 2017, and good and sufficient cause appearing,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. Provided no appeal is filed from this order, 15 days from the date of this order, the Chapter 7 Trustee, John W. Sywilok shall pay Wendy, surviving spouse of the debtor, James H. Gianninoto, the sum of \$21,945.00 representing the debtor’s exemption claim in his former residence located at 19 Glenwood Road, Upper Saddle River, New Jersey 07458.
2. Provided no appeal is filed from this order, 15 days from the date of this order, the Chapter 7 Trustee, John W. Sywilok shall pay Chase the sum of \$10,620.47, representing one half of its claim for payment of an administrative expense in the amount of \$21,240.95 representing the amount Chase paid on account of post-petition taxes and insurance premiums on behalf of the Gianninotos.
3. Wendy and Chase agree not to object to Trustee’s request for payment of commissions and Trustee’s counsel’s fee application both to be filed.
4. Trustee waives his 11 U.S.C. § 506 (c) claim against Chase.
5. This order settles all outstanding claims by and between the parties.

6. The Clerk shall serve notice of the entry of this order upon the Debtor, the Debtor's attorney, the United States Trustee and any other party who entered an appearance in this matter.

## Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New JerseyIn re:  
James H. Gianninoto  
DebtorCase No. 14-35883-JKS  
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jun 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 17, 2017.

db +James H. Gianninoto, 153 Valley Street, Ste Unit 402, South Orange, NJ 07079-2846

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 17, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 15, 2017 at the address(es) listed below:

David A. Niles on behalf of Defendant JPMORGAN CHASE David.Niles@fnf.com  
 David A. Niles on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION David.Niles@fnf.com  
 Denise E. Carlon on behalf of Creditor JPMORGAN CHASE BANK, N.A. dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com  
 Eamonn O'Hagan on behalf of Defendant Internal Revenue Service eamonn.ohagan@usdoj.gov  
 James H. Gianninoto on behalf of Cross-Claimant Wendy Gianninoto james.gianninoto@gmail.com,  
 James H. Gianninoto on behalf of Interested Party Wendy P. Gianninoto james.gianninoto@gmail.com,  
 James H. Gianninoto on behalf of Cross Defendant Wendy Gianninoto james.gianninoto@gmail.com,  
 James H. Gianninoto on behalf of Defendant Wendy Gianninoto james.gianninoto@gmail.com,  
 James H. Gianninoto on behalf of Debtor James H. Gianninoto james.gianninoto@gmail.com,  
 James M. Bennett on behalf of Defendant State of New Jersey james.bennett@dol.lps.state.nj.us  
 John Sywilok sywilokattorney@sywilok.com, nj26@ecfcbis.com  
 Melissa N. Licker on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION NJ\_ECF\_Notices@buckleymadole.com  
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 Michael S. Kopelman on behalf of Plaintiff John W. Sywilok LLC kopelaw@kopelmannj.com  
 Michael S. Kopelman on behalf of Accountant Lloyd F. George kopelaw@kopelmannj.com  
 R. A. Lebron on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION bankruptcy@feinsuch.com  
 Richard P. Haber on behalf of Defendant JPMORGAN CHASE rich.haber@buckleymadole.com, NJ\_ECF\_Notices@buckleymadole.com  
 Richard P. Haber on behalf of Cross-Claimant JPMORGAN CHASE rich.haber@buckleymadole.com, NJ\_ECF\_Notices@buckleymadole.com  
 Richard P. Haber on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION rich.haber@buckleymadole.com, NJ\_ECF\_Notices@buckleymadole.com  
 Richard P. Haber on behalf of Cross Defendant JPMORGAN CHASE rich.haber@buckleymadole.com, NJ\_ECF\_Notices@buckleymadole.com  
 Richard P. Haber on behalf of Creditor JPMORGAN CHASE BANK, N.A. rich.haber@buckleymadole.com, NJ\_ECF\_Notices@buckleymadole.com  
 Scott S. Rever on behalf of Debtor James H. Gianninoto srever@wjslaw.com, srever@ecf.inforuptcy.com/dmendez@wjslaw.com/dmendez@ecf.inforuptcy.com

TOTAL: 24